

EXHIBIT W-1

**ZONING ORDINANCE
City of
MIAMI, FLORIDA**

**Codified through
Ord. No. 12954, adopted Oct. 25, 2007.
(Supplement No. 19)**

ARTICLE 10. SIGN REGULATIONS

Sec. 10.1. Purpose of sign regulations; applicability; criteria.

10.1.1. Purpose.

The purpose of these regulations is to provide a comprehensive system of regulations for signs visible from the public right-of-way. The intent of these regulations is to provide a set of standards that is designed to optimize communication and quality of signs while protecting the public and the aesthetic character of the City. It is further intended that these regulations promote the effectiveness of signs by preventing their over-concentration, improper placement, deterioration and excessive size and number. These regulations are specifically intended to be severable, such that if any section, subsection, sentence, clause or phrase of Article 4 and/or 10 is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining provisions of Article 4 and/or 10.

10.1.2. Intent of regulations.

The intent of the application of these regulations is to:

1. Regulate and control sign structures in order to preserve, protect and promote the public, health, safety and general welfare of the residents of the City of Miami and prevent property damage and personal injury from signs that are improperly constructed or poorly maintained.
2. Promote the free flow of traffic and protect pedestrians and motorists from injury and property damage caused by, or which may be fully or partially attributable to, cluttered, distracting, and/or illegal signage.
3. Control and reduce visual clutter and blight.
4. Prevent an adverse community appearance from the unrestricted use of signs by providing a reasonable, flexible, fair, comprehensive and enforceable set of regulations that will foster a high quality, aesthetic, visual environment for the City of Miami, enhancing it as a place to live, visit and do business.
5. Assure that public benefits derived from expenditures of public funds for the improvement and beautification of streets and other public structures and spaces shall be protected by exercising reasonable control over the character and design of sign structures.
6. Address the business community's need for adequate business identification and advertising communication by improving the readability, and therefore, the effectiveness of signs by preventing their improper placement, over-concentration, excessive height area and bulk.
7. Coordinate the placement and physical dimensions of signs within the different land use zoning districts.
8. Protect property values, the local economy, and the quality of life by preserving and enhancing the appearance of the streetscapes that affects the image of the City of Miami.
9. Acknowledge the differing design concerns and needs for signs in certain specialized areas such as tourist areas.
10. Require that signs are properly maintained for safety and visual appearance.
11. Provide cost recovery measures supporting the administration and enforcement of Article 10.
12. Protect noncommercial speech such that any sign allowed herein may contain, in lieu of any other message or copy, any lawful noncommercial message, so long as said sign complies with the size, height, area and other requirements of this Article, Article 4 or the City of Miami Code.
13. Provide no more restrictions on speech than necessary to implement the purpose and intent of this Article.

10.1.3. Applicability. These regulations apply to all signs, except those signs located in the public right-of-way, within the City whether or not a permit or other approval is required, unless otherwise specifically regulated. In addition, special permits, as specified in Article 13 of this Zoning Ordinance, may also contain conditions that regulate signs on certain properties. No signs or advertising devices of any kind or nature shall be erected or maintained on any premises or affixed to the inside or outside of any structure to be visible from the public right-of-way except as specifically permitted in or excepted by this Article.

10.1.4. Criteria for granting of a sign permit or other approval as applicable.

10.1.4.1. Permits required for signs except those exempted, applications. Except for classes of signs exempted from permit requirements as specified in Section 10.3., all signs shall require permits. Applications for such permits shall be made separately or in combination with applications for other permits, as appropriate to the circumstances of the case, on forms provided by the administrative official, and shall provide at a minimum the following information:

- (a) Name, address and telephone number of the applicant;
- (b) Name, address and telephone number of the sign owner;
- (c) Location by street number, and legal description (tract, block, lot) of the building, structure, or lot to which or upon the sign is to be installed or affixed;
- (d) A drawing to scale showing the design of the sign, including the dimensions, sign size, method of attachment, source of illumination, and showing the relationship to any building or structure to which it is, or is proposed to be, installed or placed, or to which it relates;
- (e) A fully dimensional plot plan, drawn to scale, indicating the location of the sign relative to property line, right-of-way, streets, sidewalks, and other buildings or structures on the premises;
- (f) Number, size and location of all existing signs upon the same building, lot or premises, if applicable; and
- (g) Any other information required, if any, by the South Florida Building Code, a copy of which is on file in the City's clerk's office.

10.1.4.2. Permit identification required to be on sign. Any sign requiring a permit or permits shall be clearly marked with the permit number or numbers and the name of the person or firm responsible for placement of the sign on the premises.

10.1.4.3. Criteria. In the review and approval of signs, the City shall ensure compliance with all applicable sections of the South Florida Building Code, and that the following criteria have been found to comply with the zoning regulations herein:

1. The size and area of the signs comply with the specifications set forth for the type of sign and the zoning district in which the sign is to be located; and
2. The signs comply with location standards on the subject property or structure as specified herein.

10.1.5. Sign Permit Fees.

The fees prescribed in this Article must be paid to the City of Miami for each sign installation for which a permit is required by this Article and must be paid before any such permit is issued, as provided for herein.

Fees for sign permits for each sign erected, installed, affixed, structurally or electrically altered or relocated shall be determined in accordance with the fee schedule established by resolution of the City Commission and set forth in Chapter 10 and 62 of the City Code.

10.1.6. Approval of sign permit. A sign permit may be approved by the planning and zoning department if the criteria set forth in section 10.1.4.3 herein has been met, all other necessary approvals, if any, have been obtained and all required fees have been paid. Upon compliance with all of the requirements set forth herein, the planning and zoning department shall review the proposed sign permit application and render a decision no later than ten (10) days from such compliance, unless a special permit is

required; in the case of a special permit, the time limitations for such special permit shall apply.

10.1.7. Transferability of sign permit. Permits, permit numbers or permit applications and attachments shall not be transferable to other sites. They are valid only for a specific sign structure at the specifically designated location subject to Section 10.3.1.8. If at any time, a sign structure is altered, removed or relocated in a manner different from the terms of the sign permit, the sign permit will become void, unless otherwise provided in this Article.

(Ord. No. 12213, § 1, 4-11-02; Ord. No. 12246, § 2, 6-27-02)

Sec. 10.2. Definitions.

Bulletin board, community or neighborhood. Sign structure intended and reserved for the free and informal posting of temporary notices by individuals or public or quasi-public organizations, clubs, and the like.

Changeable copy sign. Sign on which copy can be changed either in the field or by remote means.

Kiosk. A freestanding bulletin board having more than two (2) faces.

Marquee. A permanent, roofed structure that is attached to and supported by a building and that projects over a public right-of-way.

Media Tower. A structure that may serve as a viewing tower and a kinetic illuminated media display system, utilizing signage, video and all other forms of animated illuminated visual message media within the Southeast/Overtown Park West Redevelopment Area.

It is intended that such a structure shall be used to achieve an overall effect and aesthetic consistency within the private-owned properties within the District based upon criteria provided for and set forth in the implementing zoning ordinance provisions and applicable provisions of Chapter 163, Part III, Florida Statutes referred to herein as the Community Redevelopment Act of 1969, and in the implementing provisions of this ordinance.

Implementation:

The Miami Media Tower shall exist solely in the Southeast Overtown/Park West Redevelopment Area.

Such a "Media Tower", inclusive of animated signage, shall not be implemented until such time that a Masterplan for the Community Redevelopment Area is completed, and an appropriate location for such a project is identified.

Criteria:

It is the purpose of the Miami Media Tower to (a) define an area in the City where signage of this type can be placed on a tower(s) that together with architectural design standards for buildings within the area as well as urban design standards based on new urbanist principles in the area of the City will establish a unique local, regional and national identity within the District; (b) strengthen the economy of the City by encouraging the development and redevelopment of a depressed, blighted and slum area within a major redevelopment area within the downtown core of the City; and (c) provide a source of funds to be used exclusively within said redevelopment area for redevelopment related activities, and nothing else.

Permitting:

A Class II Special Permit shall be required for all such signs specified herein. All applications shall require a mandatory review by the Urban Development Review Board and approval by the Executive Director of the CRA.

Outdoor advertising business. The business use of providing outdoor displays or display space on a lease or rental basis for general advertising and not primarily or necessarily for advertising related to the premises on which erected. Such use shall be considered a separate business use of a site subject to licensing and conformance of the permitted use of the outdoor advertising sign shall be considered independently.

Outdoor advertising sign. Sign where the sign copy does not pertain to the use of the property, a product sold, or the sale or lease of the property on which sign is displayed and which does not identify the place of business as purveyor of the merchandise or services advertised on the sign. Any outdoor advertising signs located on a site is considered a separate business use of that site and conformance of the permitted use of the outdoor advertising sign shall be considered independently.

Sign. Any identification, description, illustration, or device, illuminated or nonilluminated, that is visible from a public right-of-way or is located on private property and visible to the public and which directs attention to a product, place, activity, person, institution, business, message or solicitation, including any permanently installed or situated merchandise, with the exception of window displays, and any letter, numeral, character, figure, emblem, painting, banner, pennant, placard, or temporary sign designed to advertise, identify or convey information.

The following are specifically excluded from this definition of "sign":

1. Governmental signs and legal notices.
2. Signs not visible beyond the boundaries of the lot or parcel upon which they are located, or from any public right-of-way.
3. Signs displayed within the interior of a building which are not visible from the exterior of the building.
4. National flags and flags of political subdivisions.
5. Weather flags.
6. Address numbers, provided they do not exceed two square feet in area.
7. Signs located in the public right-of-way which shall be governed by Chapter 54 of the City Code.

Sign, address. Signs limited in subject matter to the street number and/or postal address of the property, the names of occupants, the name of the property, and, as appropriate to the circumstances, any matter permissible in the form of notice, directional, or warning signs, as defined below. Names of occupants may include indications as to their professions, but any sign bearing advertising matter shall be construed to be an advertising sign, as defined below.

Sign, advertising. Signs intended to promote the sale of goods or services, or to promote attendance at events or attractions. Except as otherwise provided, any sign bearing advertising matter shall be considered an advertising sign for the purposes of these regulations.

Sign, animated. Any sign or part of a sign, which changes physical position by any movement, or rotation, or which gives the visual impression of such movement or rotation.

Sign, revolving or whirling. A revolving or whirling sign is an animated sign, which revolves or turns, or has external sign elements that revolve or turn, at a speed greater than six (6) revolutions per minute. Such sign may be power-driven or propelled by the force of wind or air.

Sign, banner. A sign made from flexible material suspended from a pole or poles, or with one (1) or both ends attached to a structure or structures. Where signs are composed of strings of banners, they shall be construed to be pennant or streamer signs.

Sign, canopy, or awning. A sign painted, stamped, perforated, stitched or otherwise applied on the valance of an awning, eyelid or other protrusion above or around a window, door or other opening on a facade.

Sign, construction. A temporary sign erected on the premises on which construction is taking place, during the period of such construction, indicating the names of individuals or entities associated with, participating in or having a role or interest with respect to the project. Notable features of the project under construction may be included in construction signs by way of text and/or images.

Sign, development. Onsite signs announcing features of proposed developments, or developments either completed or in process of completion.

Sign, flashing. A sign which gives the effect of intermittent movement, or which changes to give more than one (1) visual effect.

Sign, frontage, as related to regulation. Notwithstanding definitions in this zoning ordinance referring to lot frontage, for the purpose of regulating the number of signs, the term "fronting on a street," "street frontage," or "frontage" shall be construed as adjacent to a street, whether at the front, rear, or side of a lot.

Sign, ground or freestanding. Any non-movable sign not affixed to a building, a self supporting sign. Ground signs shall be construed as including signs mounted on poles or posts in the ground, signs on fences, signs on walls other than the walls of buildings, signs on sign vehicles, portable signs for placement on the ground (A-frame, inverted T-frame and the like), signs on or suspended from tethered balloons or other tethered airborne devices, and signs created by landscaping. (See "portable sign" below).

Sign, hanging. A projecting sign suspended vertically from and supported by the underside of a canopy, marquee, awning or from a bracket or other device extending from a structure.

Sign, home occupation. A sign containing only the name and occupation of a permitted home occupation.

Sign, identification. A sign, limited to the name, address and number of a building, institution or person and to the activity, carried on in the building or institution or the occupation of the person.

Sign, illuminated. A sign illuminated in any manner by an artificial light source. Where artificial lighting making the sign visible is incidental to general illumination of the premises, the sign shall not be construed to be an illuminated sign.

Sign, indirectly illuminated. A sign illuminated primarily by light directed toward or across it or by backlighting from a source not within it. Sources of illumination for such signs may be in the form of gooseneck lamps, spotlights, or luminous tubing.

Reflectorized signs depending on automobile headlights for an image in periods of darkness shall be construed to be indirectly illuminated signs.

Sign, internally (or directly) illuminated. A sign containing its own source of artificial light internally, and dependent primarily upon such source for visibility during periods of darkness.

Sign, notice, directional, and warning. For the special purposes of these regulations, and in the interest of protecting life and property, notice, directional, and warning signs are defined as signs limited to providing notice concerning posting of property against trespass, directing deliveries or indicating location of entrances, exits and parking on private property, indicating location of buried utilities, warning against hazardous conditions, prohibiting salesmen, peddlers, or agents, and the like.

Sign, offsite. A sign depicting or conveying either commercial or noncommercial messages, or combinations thereof, and not related to the uses or premises on which erected.

Sign, onsite. A sign depicting or conveying either commercial or noncommercial messages, or combinations thereof, which are directly related to the uses or premises on which erected.

Sign, pennant or streamer. Pennant or streamer signs or signs made up of strings of pennants, or composed of ribbons or streamers, and suspended over open premises and/or attached to buildings.

Sign, portable. A sign, not permanently affixed to a building, structure or the ground.

Sign, projecting. A sign wholly or partially attached to a building or other structure and which projects more than twelve (12) inches from its surface.

Sign, real estate. Signs used solely for the purpose of offering the property on which they are displayed for sale, rent, lease, or inspection or indicating that the property has been sold, rented, or leased. Such signs shall be non-illuminated and limited in content to the name of the owner or agent, an address and/or telephone number for contact, and an indication of the area and general classification of the property. Real estate signs are

distinguished in these regulations from other forms of advertising signs and are permitted in certain districts and locations from which other forms of advertising signs excluded.

Sign, roof. A sign affixed in any manner to the roof of a building, or a sign mounted in whole or in part on the wall of the building and extending above the eave line of a pitched roof or the roof line (or parapet line, if a parapet exists) of a flat roof.

Sign, temporary. A sign or advertising display intended to be displayed for a limited and brief period of time.

Sign, vehicle. A trailer, automobile, truck, or other vehicle used primarily for the display of signs (rather than with sign display incidental to use of the vehicle for transportation).

Sign, wall or flat. A sign painted on the outside of a building, or attached to, and erected parallel to the face of a building, and supported throughout its length by such building.

Sign, window. A sign painted, attached or affixed in any manner to the interior or exterior of a window which is visible, wholly or in part from the public right-of-way.

Sign structure. A structure for the display or support of signs.

In addition, for purposes of these regulations, and notwithstanding the definition of structure generally applicable in these zoning regulations, any trailer or other vehicle, and any other device which is readily movable and designed or used primarily for the display of signs (rather than with signs as an accessory function) shall be construed to be a sign structure, and any signs thereon shall be limited in area, number, location, and other characteristics in accordance with general regulations and regulations applying in the district in which displayed.

Signs, area of. The surface area of a sign shall be computed as including the entire area within a parallelogram, triangle, circle, semicircle or other regular geometric figure, including all of the elements of the matter displayed, but not including blank masking (a plain strip, bearing no advertising matter around the edge of a sign), frames, display of identification or licensing officially required by any governmental body, or structural elements outside the sign surface and bearing no advertising matter. In the case of signs mounted back-to-back or angled away from each other, the surface area of each sign shall be computed. In the case of cylindrical signs, signs in the shape of cubes, or other signs, which are substantially three-dimensional with respect to their display surfaces, the entire display surface or surfaces shall be included in computations of area.

In the case of embellishments (display portions of signs extending outside the general display area), surface area extending outside the general display area and bearing advertising material shall be computed separately as part of the total surface area of the sign.

Notwithstanding definitions in this zoning ordinance referring to lot frontage, for the purpose of regulating the area of signs, the terms "fronting on a street," "street frontage," or "frontage" shall be construed as adjacent to a street, whether at the front, rear, or side of a lot. (See also diagram on number and area of signs.)

Signs, number of. For the purpose of determining the number of signs, a sign shall be considered to be a single display surface or display device containing elements organized, related, and composed to form a unit. Where matter is displayed in a random manner without organized relationship of units or where there is a reasonable doubt about relationship of elements, each element shall be considered to be a single sign. Where sign surfaces are intended to be read from different directions (as in the case of signs back-to-back or angled from each other), each surface shall be considered to be a single sign.

Notwithstanding definitions in this zoning ordinance referring to lot frontage, for the purpose of regulating the number of signs, the term "fronting on a street," "street frontage," or "frontage" shall be construed as adjacent to a street, whether at the front, rear, or side of a lot.

(Ord. No. 12213, § 1, 4-11-02)

Sec. 10.3. Signs exempted from permit requirements; other limitations, regulations, and requirements remain applicable.

The following types of signs, and change of copy of signs, are exempted from permit requirements due to the public health, safety and welfare nature of the uses for which they are required, more specifically because such signs are needed in order to convey messages to protect lives, give direction, identify public accessways, and protect civil rights; or due to their temporary nature.

Such signs shall comply with size and location requirements as set forth in the zoning district regulations for the specific zoning district in which they are to be located.

10.3.1. Permanent signs exempt from permits. The following permanent signs shall not require permits as set forth herein.

10.3.1.1. Address, notice, and directional signs, warning signs. No sign permit shall be required for address, notice, and directional signs or warning signs except as otherwise required in this Article.

10.3.1.2. Cornerstones, memorials, or tablets. Due to their historic and/or civic significance to the community, no sign permit is required for cornerstones, memorials, or tablets when part of any masonry surface or constructed of bronze or other incombustible and durable material; such signs shall be limited to identification and date of construction of buildings, persons present at dedication or involved in development or construction, or significant historical events relating to the premises or development.

10.3.1.3. Community or neighborhood bulletin boards, kiosks; Class I Special Permit required for establishment, but not for posting signs. Class I Special Permits shall be required for establishment of community or neighborhood bulletin boards, including kiosks in districts where permissible, but no sign permits shall be required for posting of notices thereon. Size and location standards shall be as set forth in the districts where permissible. Subject to approval by the officer or agent designated by the City manager, such bulletin boards or kiosks may be erected on public property. Conditions of such Class I Special Permit shall include assignment of responsibility for erection and/or maintenance, and provision for removal if not properly maintained.

10.3.1.4. Curbside delivery receptacles; general approval required; sign permit for individual delivery receptacles not required; limitations on location. No sign permit shall be required for erection of curbside delivery receptacles for U.S. mail which have been approved for use by postal authorities. Where curbside delivery receptacles are intended for general use for other purposes (as for example in the case of newspaper deliveries), a Class I Special Permit with mandatory referral to the public works department shall be required for general approval of the design of any such receptacles as are proposed for use in residential districts, and for the color to be used thereon.

Following general approval based on findings that the design and color of the proposed receptacle are appropriate in residential environments, sign permits for erection of individual delivery receptacles of this kind are not required. No such curbside delivery receptacle shall extend closer than sixteen (16) inches to the outer edge of the curb or, in the absence of the curb, to the right-of-way line of any street.

10.3.1.5. Signs on vehicles exempted. No sign permit shall be required for display of signs on automobiles, trucks, buses, trailers, or other vehicles when used for normal purposes of transportation.

10.3.1.6. Symbolic flags, award flags, house flags. No sign permit shall be required for display of symbolic, award, or house flags, limited in number to one (1) for each institution or establishment for the first fifty (50) feet or less of street frontage and one (1) for each fifty-foot increment of lot line adjacent to a street.

10.3.1.7. Window signs. In residential districts, signs placed in the window area, that do not exceed one (1) square foot in area, limited to one such sign per residential unit, shall not require a permit.

10.3.1.8. Change of copy. No sign permit shall be required for routine change of copy on a sign, the customary use of which involves frequent and periodic changes, or for the relocation of sign embellishments, providing such relocation does not result in increase of total area of the sign beyond permissible limits. Any sign allowed herein may contain, in

lieu of any other message or copy, any lawful noncommercial message, so long as said sign complies with the size, height, area and other requirements of this Article, Article 4, and the City of Miami Code. Where change in copy changes the type of sign to a nonexempt category, however, a sign permit shall be required.

10.3.2. Temporary signs exempt from permits. For the purposes of this Article, temporary signs shall be removed within thirty (30) days of the event to which they are related, unless otherwise specified.

10.3.2.1. Decorative flags, bunting, and other decorations on special occasions. No sign permit shall be required for display of decorative flags, bunting, and other decorations related to holidays in residential and non-residential districts, or for community-wide celebrations, conventions, or commemorations in non-residential districts when authorized by the city commission. Such signs shall be removed within thirty (30) days of such events.

10.3.2.2. Construction and development signs; development signs when combined with construction signs; development signs, Class I Special Permit, when required.

A sign permit shall not be required for construction signs that do not exceed two (2) feet in height and three (3) feet in width of sign surface area. Such signs may be displayed during the course of actual construction work on the premises. Such signs shall be limited to one (1) sign for each lot line adjacent to the street, or for combinations of construction and development signs so limited as to number and area, when displayed during such period. Construction signs that exceed the area specified herein shall be permissible by Class I Special Permit only. Such signs shall be removed within thirty (30) days of the issuance of a final certificate of occupancy.

Development signs displayed prior to initiation of actual construction on the premises, or construction or development signs displayed following completion of actual construction shall require a Class I Special Permit. Such Class I Special Permits shall be issued only after required development permits have been issued and shall specify the maximum time permissible between erection of the sign and beginning of construction, conditions under which the sign is to be removed if construction is not begun as specified or is not carried to completion diligently, and requirements for removal or limitations on continuation following construction.

The number and area of such signs shall not exceed maximums established for the district in which located and sign permits shall be required. District regulations shall be controlling as to location on premises, whether or not sign permits are required.

10.3.2.3. Balloons. Permitted only in conjunction with a special event by Class I Special Permit in conjunction with the event, and limited to a duration of no more than two (2) weeks (also see section 906.9 regarding limitations for special events). Balloons suspended in air may not be elevated to a height greater than thirty-two (32) feet above the rooftop of the building in which the advertised use or occupant is located.

10.3.2.4. Real estate signs.

In nonresidential districts:

No sign permit shall be required for real estate signs displayed on private property, in nonresidential districts, not exceeding fifteen (15) square feet in sign surface area. Such signs shall be removed within thirty (30) days of the sale or rental of the property.

In residential districts:

No sign permit shall be required for real estate signs displayed on private property, in residential districts, not exceeding one (1) square foot in sign surface area. Such signs shall be removed within thirty (30) days of the sale or rental of the property.

10.3.2.5. Political election signs.

In nonresidential districts:

No sign permit shall be required for political election signs displayed on private property, in nonresidential districts, not exceeding fifteen (15) square feet in aggregate of sign surface area. Such signs shall be removed within thirty (30) days of the election period.

In residential districts:

No sign permit shall be required for political election signs displayed on private property, in residential districts, not exceeding four (4) square feet in aggregate of sign surface area. Such signs shall be removed within thirty (30) days of the election period.

10.3.2.6. All temporary signs covered in this section shall, in addition to the size limitations specified above, be subject to the following limitations and responsibilities:

(a) In residential districts, the maximum height of such signs shall be limited to four (4) feet from grade to the top of signs.

(b) In nonresidential districts, the maximum height of such signs shall be limited to fifteen (15) feet from grade to the top of signs.

(c) Vision clearance areas shall be maintained at street corners and driveways (see section 10.4).

(d) All signs must conform to the requirements of chapter 42 of the South Florida Building Code as may be amended, except for painted wall signs and paper signs in windows. Portable signs, except for sign vehicles, herein defined as "signs not secured to the ground in accordance with chapter 42 of the South Florida Building Code, as may be amended," shall not be allowed.

(e) Sign vehicles consisting of temporary signs under ten (10) square feet in area may be parked on private property in commercial and industrial districts for a period not to exceed eight (8) hours per day. Sign vehicles consisting of temporary signs in excess of ten (10) square feet shall be permissible only by Class II Special Permit, in order to ensure that such signs are not visually obtrusive, dangerous due to the increased size and that the method of attachment is appropriate. No such sign vehicle shall be parked on private property in residential districts. No sign vehicle shall be parked closer than ten (10) feet from the base building line. Signs on a sign vehicle shall not be illuminated.

(f) The property owner on which a temporary sign is posted shall be responsible for any hazard to the general public which is caused by, or created by reason of, the installation and/or maintenance of such temporary sign; and in the case of temporary political election signs, the candidate or, when a proposition is involved, the person advocating the vote described on the sign, shall also be responsible for its removal in accordance with Florida Statute section 106.1435.

10.3.2.7. *Removal.* Any temporary sign not posted in accordance with the provisions of this Article and any such sign which exists in violation of this Article shall be deemed to be a public nuisance and shall be subject to the imposition of fines and written notice of violation requiring removal by the property owner in accordance with the applicable sections of the City Code and/or Zoning Ordinance; and in the case of temporary political elections signs, the candidate or, when a proposition is involved, the person advocating the vote described on the sign, shall also be responsible for its removal in accordance with Florida Statute section 106.1435.

(Ord. No. 12213, § 1, 4-11-02)

Sec. 10.4. General requirements.

The following general requirements and limitations shall apply with regard to signs, in addition to provisions appearing elsewhere in the text of these regulations. No variance from these provisions is permitted, unless otherwise provided herein.

10.4.1. Any sign allowed herein may contain, in lieu of any other message or copy, any lawful noncommercial message, so long as said sign complies with the size, height, area and other requirements of this Article, Article 4, and the City of Miami Code.

10.4.2. *Projecting signs, marquees, awnings, and the like; vertical and horizontal clearances.*

Vertical clearances, projections, and clearance from curblines as projected vertically, for projecting signs including marquees, and for awnings, canopies, and the like, whether or not bearing signs, shall be as provided in the South Florida Building Code, section 4208, Limitations on projecting signs; section 4304, Location and use (canvas awnings and canopies); and section 4404, Location (rigid awnings, canopies, or canopy shutters).

Except as otherwise specified in these zoning regulations, projecting signs shall comply with the yard requirements of the districts in which located.

10.4.3. Roof signs; new roof signs prohibited. With respect to repair of existing roof signs, the provisions of the South Florida Building Code, section 4206, Limitations on roof signs, shall apply. No permits shall be issued under this zoning ordinance for new roof signs, pursuant to Article XXIV, section 1, subsection 7(a), and article XXCIII, section 3, subsection 3(a), Ordinance No. 6871, as amended, repealed by Ordinance No. 9500, as amended, the same being provisions dealing with roof signs and requiring their termination and removal from the premises on which they are located not later than twelve (12) years following the date they became nonconforming, shall continue to be operative and given full force and effect. All legal proceedings begun and all legal proceedings that might have been begun under these provisions of Ordinance No. 9500, as amended, prior to the repeal of Ordinance No. 9500, as amended, shall be given full force and effect as though Ordinance No. 9500, as amended, had not been repealed.

10.4.4. Signs of graphic or artistic value; new signs of graphic artistic value prohibited. For the purposes of this section, "Signs of graphic or artistic value" are artistic images which meet the criteria of the Miami-Dade County Art In Public Places ordinance and contain a commercial sponsorship message, defined as text, or logos representing the name or trademark or servicemark of the sponsor; such commercial message may be of offsite products or businesses as applicable to the sponsorship but shall not be primarily for the purposes of advertising. Except as otherwise provided in these zoning regulations, no additional "Signs of graphic or artistic value" shall be allowed.

With respect to existing signs of graphic or artistic value, Section 926.12. "Signs of graphic or artistic value" of Ordinance 11000, as amended, the Zoning Ordinance of the City of Miami, and dealing with "Signs of graphic or artistic value" is repealed by the enactment of Ordinance No. and all existing signs of graphic or artistic value shall be removed from the premises on which they are located not later than five (5) years from the effective date of this Ordinance; however, all legal proceedings begun and all legal proceedings that might have been begun under these provisions of Ordinance No. 11000, as amended, governing signs of graphic or artistic value, prior to the repeal of the above referenced subsections of Ordinance No. 11000, as amended, shall be given full force and effect as though said subsections had not been repealed.

10.4.5. Outdoor advertising signs; new signs of outdoor advertising prohibited. For the purposes of this section, "Outdoor advertising signs" are signs used in the conduct of the outdoor advertising business; an outdoor advertising business, for the purpose of this section, is defined as the business of receiving or paying money for displaying signs where the sign copy does not pertain to the use of the property, a product sold, or the sale or lease of the property on which the sign is displayed and which does not identify the place of business as purveyor of the merchandise or services advertised on the sign. Except as otherwise provided in Articles 4 and 10 and/or the City Code, or, pursuant to this subsection, no new freestanding "Outdoor advertising signs," as defined above shall be allowed.

With respect to existing outdoor advertising signs, Section 926.15 "Outdoor advertising signs" of Ordinance 11000 adopted in 1990, the Zoning Ordinance of the City of Miami, and dealing with "Outdoor advertising signs," is hereby repealed to the extent it is inconsistent with any provision contained in this Article. Nothing, however, in this Article shall affect those provisions of Section 926.15 requiring the termination and removal of freestanding outdoor advertising signs from the premises on which they were located not later than five (5) years following the date they became nonconforming as a result of the passage of Ordinance No. 11000 in 1990, and such provisions shall continue to be operative and given full force and effect. Moreover, nothing in this Article shall affect any legal proceedings begun and all legal proceedings that might have been begun under these provisions of Ordinance No. 11000, as adopted in 1990, and such proceedings shall be given full force and effect.

Notwithstanding any provision of this Zoning Ordinance to the contrary, permits for outdoor advertising signs may be issued pursuant to a Settlement Agreement authorized by Resolution passed by the City Commission, in conjunction with the settlement of related litigation, which expressly authorizes issuance of such permits for said outdoor advertising signs, and then only under the terms and conditions of settlement agreements that result in a net reduction in the party to the settlement's number of outdoor advertising signs located in the City of Miami.

10.4.6. Ground signs. With respect to the location of ground signs, the provisions of the South Florida Building Code, section 4207, Limitations on ground signs, shall apply; provided, however, that where this zoning ordinance establishes further limitations on location of such signs, such limitations shall apply.

10.4.7. Structural wall signs or flat signs; clearance above public walkways. Structural wall signs or flat signs shall provide clearance above public walkways as required by the South Florida Building Code, section 4209.5.

10.4.8. Limitations regarding illumination of signs; prohibition against blocking egresses, light, or ventilation or causing hazards. In addition to the limitations and restrictions set forth in this zoning ordinance, the provisions of the South Florida Building Code, section 4209, Detailed requirements, shall apply with respect to blocking required egress, light or ventilation, movement or rotation of sign parts in such a manner as to resemble danger lights or lights on emergency vehicles, wording on unofficial signs implying the need or requirement for stopping or the existence of danger when such conditions do not actually exist, or illumination likely to cause confusion with traffic signals.

10.4.8.1. Limitations on false and misleading signs. It shall be unlawful to post any sign that is false or misleading.

10.4.8.2. Limitations on illuminated or flashing signs; flashing signs prohibited in certain areas adjacent to residential districts. No sign shall be illuminated or flashing unless such signs are specifically authorized by the regulations for the district in which erected. Whether or not flashing signs are authorized generally within a district, no flashing sign shall be permitted within one hundred (100) feet of any portion of property in a residential district, as measured along the street frontage on the same side of the street, or as measured in a straight line to property across the street, if the flashing element of such sign is directly visible from the residential property involved (see also section 10.8.1).

10.4.9. Prohibition against revolving or whirling signs and pennant or streamer signs; exception. Revolving or whirling signs and pennant or streamer signs are hereby prohibited unless such signs are specifically authorized by the regulations for the district in which erected.

10.4.10. Prohibition against sign placement impeding visibility of traffic or pedestrians, or creating other hazards. No sign or sign support structure shall be so placed as to create hazards to pedestrians or traffic on either public or private premises. In particular, no sign or sign support structure shall be so placed as to violate the provisions of section 908.11, vision clearance at intersections, or to impede visibility of traffic or pedestrians at other points on public or private premises where such visibility is reasonably necessary to safety, or to create potential hazards to individual vehicles being driven or maneuvering incidental to parking, loading or unloading, on public or private premises.

10.4.11. Signs of historic significance.

Any sign determined to be of historic significance by the Historic and Environmental Preservation Board, through resolution that makes findings according to the criteria below, may be exempted by Class II Special Permit from any sign limitation imposed by Article 10. The placement of said sign may be as approved by said Class II Special Permit, in any zoning district deemed appropriate according to the considerations and standards below, by the director of the planning, building and zoning department. Historic sign criteria. The Historic and Environmental Preservation Board, in accordance with Article 7 of the Zoning Ordinance and Chapters 23 and 62 of the City Code, may

determine that a sign is of historic significance upon finding that said sign contributes to the cultural, historic, or aesthetic character of the City, neighborhood, or streetscape, due to its construction materials, age, prominent location, unique design, or craftsmanship from another period.

10.4.11.1. Class II Special Permit required. Upon receipt of the findings of historic significance by the Historic and Environmental Preservation Board, the director of the planning, building and zoning department may issue a Class II Special Permit allowing said historic sign to be repaired, restored, structurally altered, reconstructed, or relocated. The director may refer the application for a Class II Special Permit to the Historic and Environmental Preservation Board for review and recommendation.

10.4.11.2. Class II Special Permits, considerations and standards. The director shall be guided by the following considerations and standards in his/her decision as to the issuance of a Class II Special Permit:

(a) Due consideration shall be given to the size, character, location, and orientation of the sign, with particular reference to traffic safety, glare, and compatibility with adjoining and nearby properties.

(b) Due consideration shall also be given to the relative historic significance of the sign versus any potentially adverse effects on adjoining and nearby properties, the area, or the neighborhood with reference to location, construction, design, character, or scale.

10.4.11.3. Class II Special Permits, review process. Such decisions by the Planning and Zoning Director may be appealed in accordance with provision Article 15 of the Zoning Ordinance.

10.4.12. Removal, repair, or replacement of certain signs; prohibition against repair or replacement of certain nonconforming signs ordered removed.

In addition to removal required for nonconforming signs at Section 10.8., the following rules, requirements, and limitations shall apply with regard to removal, repair, or replacement of certain signs, as indicated below.

Orders concerning removal, repair, or replacement shall be guided by the following rules:

(a) If such signs are otherwise lawfully permitted, except for the condition or circumstance leading to an order issued by any official City or County Board with applicable jurisdiction in accordance with the applicable provisions of the City Code, the South Florida Building Code or this Article, the order shall require repair or replacement within a stated time, not to exceed ninety (90) days from the date of the order, or removal prior to the expiration of such period.

(b) If such signs are nonconforming under the terms of Ordinance No. by reason of character or location or the use with which associated, or exceed, in combination with other signs on the premises, limitations on number or area of signs, the order shall require any nonconforming signs to be removed or made to conform within a stated time, not to exceed ninety (90) days from the date of the order.

(c) Any order issued by a official City or County Board with jurisdiction may be appealed in accordance with the review procedures set forth in the applicable sections of the City Code, South Florida Building Code or Zoning Ordinance.

10.4.13. Removal for reasons of safety; obsolete material; maintenance required.

10.4.13.1. Unsafe signs. Where any sign is in eminent danger of falling, is a threat to the safety of persons or property, or otherwise in violation of or in noncompliance with section 202 of the South Florida Building Code, such sign shall be removed, repaired or replaced as provided therein, if otherwise lawful.

10.4.13.2. Decrepit or dilapidated signs; treatment of supports.

10.4.13.2.1. Signs found to be decrepit or dilapidated (whether or not determined to be unsafe as provided above) shall be removed, repaired, or replaced if otherwise lawful.

10.4.13.2.2. Structural members of signs required to be concealed or otherwise made visually unobtrusive. Structural members of all signs, including supports, shall be covered, painted, and/or designed in such a manner as to be visually unobtrusive.

10.4.13.3. Procedure for removal of signs which are unsafe. The building official may issue to the responsible party in charge of any sign found to be unsafe a written notice. The written notice shall specify the dangerous conditions of the sign, list any sign violation, order the immediate abatement of the unsafe conditions, and require either the repair or removal of the sign within the time specified in the notice by the responsible party. The building official shall serve this notice on the responsible party in accordance with section of the South Florida Building Code and the responsible party may seek review of such decisions in accordance with such section.

10.4.14. Signs advertising establishments, commodities, or services no longer on premises. Signs advertising establishments, commodities, or services previously associated with the premises on which erected, but no longer there or otherwise bearing other obsolete matter, shall be removed within thirty (30) days from the time such activity ceases.

10.4.14.1. Procedure for removal of signs which advertise establishments, commodities, or services no longer on premises or are otherwise obsolete. The City may issue to the responsible party in charge of any sign found to be advertising establishments, commodities, or services no longer on premises or are otherwise obsolete a written notice. The written notice shall specify the obsolete conditions of the sign, list any sign violation, order the immediate abatement of the obsolete condition, and require the removal of the sign within the time specified in the notice by the responsible party. The City shall serve this notice on the responsible party in accordance with Chapter 2, Article X of the City Code and the responsible party may seek review of such decision in accordance with the provisions contained therein.

10.4.15. Variances. There shall be no variances permitted for any of the sign regulations herein.

(Ord. No. 12213, § 1, 4-11-02; Ord. No. 12246, § 2, 6-27-02; Ord. No. 12659, § 1, 2-24-05)

Sec. 10.5. Zoning District sign regulations.

Unless otherwise specifically permitted within a certain zoning district, signs may not be flashing, animated, revolving or whirling.

10.5.1. CS Conservation.

Sign Regulations:

Temporary signs: Temporary signs shall be permissible as specified in Section 10.3.2.

Permanent signs: Due to the primary intent of such districts to conserve special environmental features, only identification and directional signs shall be permitted by Class II Special Permit. The purpose of the Class II Special Permit will be to determine and minimize impacts on the natural setting of the conservation district in which the signs are to be placed.

10.5.2. PR Parks, Recreation and Open Space.

Sign Regulations:

Temporary signs: Temporary signs shall be permissible as specified in Section 10.3.2.

Permanent signs: The following permanent signs shall be permissible subject to the limitations indicated:

Except as provided below for Regional parks, all park signs shall be limited to only the name of the facility, identification of accessory establishments and directional signs; all such signs shall be permissible by Class II Special Permit.

Criteria:

Location of signs: Location of park identification signs shall comply with the visibility clearance standards as set forth in Section 10.4. Signs for identification of accessory establishments shall be located directly on, or adjacent to such establishments.

Size: There shall be no limitation as to the size of park identification signs, however, such signs shall not exceed a reasonable size to identify the park to the population it is intended to serve; neighborhood parks signs shall be unobtrusive and non-illuminated,

while regional park signs may be larger and contain sufficient illumination to read the park sign from adjacent rights-of-way. In addition, regional parks shall also be allowed commercial sponsorship messages not to exceed twenty-five (25) percent of the total sign area of the principal park identification sign; such commercial messages must be incorporated into the park sign and may not be displayed on their own.

Accessory establishments within a park may be allowed identification signs pursuant to a Class II Special Permit in order to determine whether the location, size and design of the sign structure(s) is compatible with the character of the park in which located.

10.5.3. Residential districts. It is the intent of these regulations to protect residential areas from intrusive or over-concentrations of signs that have an overall detrimental effect on living conditions in the city.

10.5.3.1. R-1 Single Family Residential.

Sign Regulations:

Temporary Signs:

1. Temporary signs, which include political election signs and real estate signs, shall be allowed subject to the exceptions, limitations and responsibilities of subsection 10.3.2.

Real Estate signs shall be limited to one sign per residential unit.

2. In connection with active and continuing new construction work in progress: Except for Planned Unit Developments (PUD), construction signs shall not exceed one (1) construction sign, or six (6) square feet in area, for each lot line adjacent to a street. Such signs shall not be illuminated.

PUD construction signs shall not exceed twenty (20) square feet in area, one (1) for each lot line adjacent to a street. Development signs shall not be permitted except in conjunction with such construction signs or by Class I Special Permit as provided in section 10.4. During the process of construction and initial sale or rental within such development, such temporary development signs as authorized above may be allowed by Class I Special Permit only, for periods not exceeding one (1) year, and renewable for one-year terms for not to exceed two (2) additional years. Such signs shall be located at least ten (10) feet in from any property line, and oriented for minimum adverse effects on adjoining or facing residential property. Location shall be further governed by requirements for vision clearance at intersections as set out at section 908.11.

3. In connection with holidays: Decorative flags, bunting, and other decorations on special occasions. No sign permit shall be required for display of decorative flags, bunting, and other decorations related to holidays.

Permanent Signs: In connection with each dwelling unit and all other uses:

1. Address signs, not to exceed one (1) for each dwelling unit or other use for each lot line adjacent to a street, or two (2) square feet in area, except as provided below.

2. Window signs which do not exceed one (1) square foot in area limited to one such sign per residential unit.

3. Notice, directional and warning signs, not to exceed one (1) for each dwelling unit or other use for each lot line adjacent to a street, or two (2) square feet in area, provided that, where such signs are combined with address signs, maximum total area shall not exceed three (3) square feet.

Such signs, if freestanding, shall not exceed three (3) feet in height, be closer than ten (10) feet to any adjacent lot, or be closer than two (2) feet to any street line. Such signs shall not be illuminated.

For signs related to home occupations, see section 906.5(d).

For other uses:

1. *In connection with child daycare centers:* Not to exceed one (1) identification sign per establishment with a maximum area of two (2) square feet.

2. *In connection with subdivisions, developments (including PUDs), neighborhoods or similar areas:* Not to exceed one (1) permanent identification sign, or ten (10) square feet in area, per principal entrance. Such signs shall not be illuminated or internally illuminated. Such signs may be located on a perimeter wall or building wall. Signs should

respect the architecture of the building and be placed subordinately and harmoniously to the structure.

[3.] *In connection with places of worship:* Freestanding church signs for name and schedule of services shall be allowed provided that the maximum size of such sign shall be fifteen (15) square feet in area; an increase up to forty (40) square feet for such a sign shall be permissible pursuant to a Class I Special Permit upon a demonstration that the increase in sign area is necessary for visibility of the sign by the general public due to the location of the church on the subject property; more specifically, the increase shall be permissible if the sign is located on a street with a right-of-way greater than fifty (50) feet and a setback in excess of thirty (30) feet that necessitate the increase. A wall sign for the name of the school, not exceeding an additional 20 square feet in area shall also be permitted.

[4.] *In connection with primary and secondary schools:* A freestanding school sign for the name of the school and schedule of school events and calendar shall be allowed provided that the maximum size of such sign shall be fifteen (15) square feet in area; an increase up to forty (40) square feet for such a sign shall be permissible pursuant to a Class I Special Permit upon a demonstration that the increase in sign area is necessary for visibility of the sign by the general public due to the location of the school on the subject property; more specifically, the increase shall be permissible if the sign is located on a street with a right-of-way greater than fifty (50) feet and a setback in excess of thirty (30) feet that necessitate the increase. A wall sign for the name of the school, not exceeding an additional 20 square feet in area shall also be permitted.

10.5.3.2. R-2 Two-Family Residential.

Sign Regulations:

Temporary Signs:

1. Temporary signs, which include political election signs and real estate signs, shall be allowed subject to the exceptions, limitations and responsibilities of subsection 10.3.2. Real Estate signs shall be limited to one sign per residential unit.

2. In connection with active and continuing new construction work in progress: Except for Planned Unit Developments (PUD), construction signs shall not exceed one (1) construction sign, or six (6) square feet in area, for each lot line adjacent to a street. Such signs shall not be illuminated.

PUD construction signs shall not exceed twenty (20) square feet in area, one (1) for each lot line adjacent to a street. Development signs shall not be permitted except in conjunction with such construction signs or by Class I Special Permit as provided in section 10.4. During the process of construction and initial sale or rental within such development, such temporary development signs as authorized above may be allowed by Class I Special Permit only, for periods not exceeding one (1) year, and renewable for one-year terms not to exceed two (2) additional years. Such signs shall be located at least ten (10) feet in from any property line, and oriented for minimum adverse effects on adjoining or facing residential property. Location shall be further governed by requirements for vision clearance at intersections as set out at section 908.11.

3. In connection with holidays: Decorative flags, bunting, and other decorations on special occasions. No sign permit shall be required for display of decorative flags, bunting, and other decorations related to holidays.

Permanent Signs: In connection with each dwelling unit and all other uses:

1. Address signs, not to exceed one (1) for each dwelling unit or other use for each lot line adjacent to a street, or two (2) square feet in area, except as provided below.

2. Window signs which do not exceed one (1) square foot in area limited to one such sign per residential unit.

3. Notice, directional and warning signs, not to exceed one (1) for each dwelling unit or other use for each lot line adjacent to a street, or two (2) square feet in area, provided that, where such signs are combined with address signs, maximum total area shall not exceed three (3) square feet.

Such signs, if freestanding, shall not exceed three (3) feet in height, be closer than ten (10) feet to any adjacent lot, or be closer than two (2) feet to any street line. Such signs shall not be illuminated.

For signs related to home occupations, see section 906.5(d).

For other uses:

1. In connection with child daycare centers: Not to exceed one (1) identification sign per establishment with a maximum area of two (2) square feet.

2. In connection with subdivisions, developments (including PUDs), neighborhoods or similar areas: Not to exceed one (1) permanent identification sign, or ten (10) square feet in area, per principal entrance. Such signs shall not be illuminated or internally illuminated. Such signs may be located on a perimeter wall or building wall. Signs should respect the architecture of the building and be placed subordinately and harmoniously to the structure.

[3.] In connection with places of worship: Freestanding church signs for name and schedule of services shall be allowed provided that the maximum size of such sign shall be fifteen (15) square feet in area; an increase up to forty (40) square feet for such a sign shall be permissible pursuant to a Class I Special Permit upon a demonstration that the increase in sign area is necessary for visibility of the sign by the general public due to the location of the church on the subject property; more specifically, the increase shall be permissible if the sign is located on a street with a right-of-way greater than fifty (50) feet and a setback in excess of thirty (30) feet that necessitate the increase. A wall sign for the name of the school, not exceeding an additional 20 square feet in area shall also be permitted.

[4.] In connection with primary and secondary schools: A freestanding school sign for the name of the school and schedule of school events and calendar shall be allowed provided that the maximum size of such sign shall be fifteen (15) square feet in area; an increase up to forty (40) square feet for such a sign shall be permissible pursuant to a Class I Special Permit upon a demonstration that the increase in sign area is necessary for visibility of the sign by the general public due to the location of the school on the subject property; more specifically, the increase shall be permissible if the sign is located on a street with a right-of-way greater than fifty (50) feet and a setback in excess of thirty (30) feet that necessitate the increase. A wall sign for the name of the school, not exceeding an additional 20 square feet in area shall also be permitted.

10.5.3.3. R-3 Multifamily Medium-Density Residential.

Sign Regulations:

Temporary Signs:

1. Temporary signs, which include political election signs and real estate signs, shall be allowed subject to the exceptions, limitations and responsibilities of subsection 10.3.2.

Real Estate signs shall be limited to one sign per street frontage.

2. In connection with holidays: Decorative flags, bunting, and other decorations on special occasions. No sign permit shall be required for display of decorative flags, bunting, and other decorations related to holidays.

3. Construction: Not to exceed one (1) construction sign, or thirty (30) square feet in area for each lot line adjacent to a street. Development signs shall not be permitted except in conjunction with such construction signs or by Class I Special Permit.

In addition, for PUD construction signs, during the process of construction and initial sale or rental within such development, such temporary development signs as authorized above may be allowed by Class I Special Permit only, for periods not exceeding one (1) year, and renewable for one-year terms for not to exceed two (2) additional years. Such signs shall be located at least ten (10) feet in from any property line, and oriented for minimum adverse effects on adjoining or facing residential property. Location shall be further governed by requirements for vision clearance at intersections as set out at section 908.11.

Permanent Signs: In connection with each dwelling unit and all other uses:

1. Address signs, not to exceed one (1) for each dwelling unit or other use for each lot line adjacent to a street, or two (2) square feet in area, except as provided below.
2. Window signs which do not exceed one (1) square foot in area limited to one such sign per residential unit.
3. For each lot line adjacent to a street, one (1) wall sign not exceeding an area of one-half square foot for each linear foot of street frontage, up to a maximum of forty (40) square feet in area, or one (1) projecting sign with combined surface area not exceeding one-half square foot for each linear foot of street frontage, up to a maximum of forty (40) square feet in area, and one (1) address and/or directional sign, not exceeding an area of ten (10) square feet. Such address and/or directional, notice or warning sign, if freestanding, shall not be closer than six (6) feet to any adjacent lot line or be closer than two (2) feet to any street line.
4. Notice, directional and warning signs, not to exceed one (1) for each dwelling unit or other use for each lot line adjacent to a street, or two (2) square feet in area, provided that, where such signs are combined with address signs, maximum total area shall not exceed three (3) square feet. Address, notice, directional warning signs, if freestanding, shall not exceed three (3) feet in height, be closer than ten (10) feet to any adjacent lot, or be closer than two (2) feet to any street line.

Area of permitted wall signs may be increased two and one-half (2 1/2) square feet for each foot above the first ten (10) feet of building height from grade at the bottom of the wall (averaged if sloping or irregular) to the bottom of the sign.

Community or neighborhood bulletin boards or kiosks: Shall be permissible only by Class I Special Permit, as provided at section 10.3.1.6. In the case of flat bulletin boards, the area of such boards shall not exceed 25 square feet; and, in the case of kiosks, such structures shall not exceed a plan section area of 10 square feet and an overall height (including architectural embellishments) of 10 feet.

Home occupations: See section 906.5(d).

In connection with subdivisions, developments (including PUDs), neighborhoods or similar areas: Not to exceed one (1) permanent identification sign, or ten (10) square feet in area, per principal entrance. Such signs shall not be illuminated or internally illuminated. Such signs may be located on a perimeter wall or building wall. Signs should respect the architecture of the building and be placed subordinately and harmoniously to the structure.

In connection with places of worship: Freestanding church signs for name and schedule of services shall be allowed provided that the maximum size of such sign shall be fifteen (15) square feet in area; an increase up to forty (40) square feet for such a sign shall be permissible pursuant to a Class I Special Permit upon a demonstration that the increase in sign area is necessary for visibility of the sign by the general public due to the location of the church on the subject property; more specifically, the increase shall be permissible if the sign is located on a street with a right-of-way greater than fifty (50) feet and a setback in excess of thirty (30) feet that necessitate the increase. A wall sign for the name of the school, not exceeding an additional 20 square feet in area shall also be permitted.

In connection with primary and secondary schools: A freestanding school sign for the name of the school and schedule of school events and calendar shall be allowed provided that the maximum size of such sign shall be fifteen (15) square feet in area; an increase up to forty (40) square feet for such a sign shall be permissible pursuant to a Class I Special Permit upon a demonstration that the increase in sign area is necessary for visibility of the sign by the general public due to the location of the school on the subject property; more specifically, the increase shall be permissible if the sign is located on a street with a right-of-way greater than fifty (50) feet and a setback in excess of thirty (30) feet that necessitate the increase. A wall sign for the name of the school, not exceeding an additional 20 square feet in area shall also be permitted.

10.5.3.4. R-4 Multifamily High-Density Residential.

Sign Regulations:

Temporary Signs:

1. Temporary signs, which include political election signs and real estate signs, shall be allowed subject to the exceptions, limitations and responsibilities of subsection 10.3.2. Real Estate signs shall be limited to one sign per street frontage.

2. In connection with holidays: Decorative flags, bunting, and other decorations on special occasions. No sign permit shall be required for display of decorative flags, bunting, and other decorations related to holidays.

3. Construction: Not to exceed one (1) construction sign, or thirty (30) square feet in area for each lot line adjacent to a street. Development signs shall not be permitted except in conjunction with such construction signs or by Class I Special Permit.

In addition, for PUD construction signs, during the process of construction and initial sale or rental within such development, such temporary development signs as authorized above may be allowed by Class I Special Permit only, for periods not exceeding one (1) year, and renewable for one-year terms for not to exceed two (2) additional years. Such signs shall be located at least ten (10) feet in from any property line, and oriented for minimum adverse effects on adjoining or facing residential property. Location shall be further governed by requirements for vision clearance at intersections as set out at section 908.11.

Permanent Signs: In connection with each dwelling unit and all other uses:

1. Address signs, not to exceed one (1) for each dwelling unit or other use for each lot line adjacent to a street, or two (2) square feet in area, except as provided below.

2. Window signs which do not exceed one (1) square foot in area limited to one such sign per residential unit.

3. For each lot line adjacent to a street, one (1) wall sign not exceeding an area of one-half square foot for each linear foot of street frontage, up to a maximum of forty (40) square feet in area, or one (1) projecting sign with combined surface area not exceeding one-half square foot for each linear foot of street frontage, up to a maximum of forty (40) square feet in area, and one (1) address and/or directional sign, not exceeding an area of ten (10) square feet. Such address and/or directional, notice or warning sign, if freestanding, shall not be closer than six (6) feet to any adjacent lot line or be closer than two (2) feet to any street line.

4. Notice, directional and warning signs, not to exceed one (1) for each dwelling unit or other use for each lot line adjacent to a street, or two (2) square feet in area, provided that, where such signs are combined with address signs, maximum total area shall not exceed three (3) square feet. Address, notice, directional warning signs, if freestanding, shall not exceed three (3) feet in height, be closer than ten (10) feet to any adjacent lot, or be closer than two (2) feet to any street line.

Area of permitted wall signs may be increased two and one-half (2 1/2) square feet for each foot above the first ten (10) feet of building height from grade at the bottom of the wall (averaged if sloping or irregular) to the bottom of the sign.

Community or neighborhood bulletin boards or kiosks: Shall be permissible only by Class I Special Permit, as provided at section 10.3.1.6. In the case of flat bulletin boards, the area of such boards shall not exceed 25 square feet; and, in the case of kiosks, such structures shall not exceed a plan section area of 10 square feet and an overall height (including architectural embellishments) of 10 feet.

Home occupations: See section 906.5(d).

In connection with subdivisions, developments (including PUDs), neighborhoods or similar areas: Not to exceed one (1) permanent identification sign, or ten (10) square feet in area, per principal entrance. Such signs shall not be illuminated or internally illuminated. Such signs may be located on a perimeter wall or building wall. Signs should respect the architecture of the building and be placed subordinately and harmoniously to the structure.

In connection with places of worship: Freestanding church signs for name and schedule of services shall be allowed provided that the maximum size of such sign shall be fifteen

(15) square feet in area; an increase up to forty (40) square feet for such a sign shall be permissible pursuant to a Class I Special Permit upon a demonstration that the increase in sign area is necessary for visibility of the sign by the general public due to the location of the church on the subject property; more specifically, the increase shall be permissible if the sign is located on a street with a right-of-way greater than fifty (50) feet and a setback in excess of thirty (30) feet that necessitate the increase. A wall sign for the name of the school, not exceeding an additional 20 square feet in area shall also be permitted.

In connection with primary and secondary schools: A freestanding school sign for the name of the school and schedule of school events and calendar shall be allowed provided that the maximum size of such sign shall be fifteen (15) square feet in area; an increase up to forty (40) square feet for such a sign shall be permissible pursuant to a Class I Special Permit upon a demonstration that the increase in sign area is necessary for visibility of the sign by the general public due to the location of the school on the subject property; more specifically, the increase shall be permissible if the sign is located on a street with a right-of-way greater than fifty (50) feet and a setback in excess of thirty (30) feet that necessitate the increase. A wall sign for the name of the school, not exceeding an additional 20 square feet in area shall also be permitted.

Hotels: Signs for hotel uses shall be subject to Class II Special Permit. The Class II Special Permit shall give due consideration to the orientation of said signs to ensure that they are oriented away from adjacent residential uses so as to minimize the potential adverse effects resulting from lighting spillover.

Signage for hotels shall conform to the following guidelines:

1. Directional signs, which may be combined with address signs but shall bear no advertising matter, may be erected to guide toward entrances, exits, or parking areas, but shall not exceed five (5) square feet in surface area. Such signs shall be permanent, weather resisting fixtures well anchored to the ground so as not to be readily removable; said signs shall stand alone and not be attached to other fixtures or plantings.

2. Ground or monument signs, excluding pole signs, limited to one (1) sign structure with no more than two (2) sign surfaces neither of which shall exceed forty (40) square feet in sign area. One (1) such sign shall be allowed for each one hundred (100) feet of street frontage. Such signs shall consist of a solid and opaque surface which shall contain all lettering and/or graphic symbols, none of which shall be internally illuminated.

Maximum height limitation shall be ten (10) feet including embellishments, measured from the crown of the nearest adjacent local or arterial street, not including limited access highways or expressways, provided, however, that upon finding that there are unusual or undulating site conditions the planning and zoning director, through the Class II Special Permit, may increase the measurement of the crown by up to five (5) feet to accommodate these conditions.

3. Wall signs, limited to one (1) square foot of sign area for each lineal foot of wall fronting on a street, up to a maximum of fifty (50) square feet per sign. Not more than three (3) such signs shall be permitted per hotel with no more than one sign per wall. No signs will be permitted on frontages which face residentially zoned property within a radius of one thousand (1,000) feet.

10.5.4. Nonresidential Districts. For all non-residential districts, temporary signs associated with community-wide celebrations, conventions or commemorations shall be allowed when authorized by the City Commission and subject to the limitations set forth in Section 10.3.2.1.

10.5.4.1. Office.

Sign regulations:

Temporary Signs:

1. Temporary signs, which include political election signs and real estate signs, shall be allowed subject to the exceptions, limitations and responsibilities of subsection 10.3.2. Real Estate signs shall be limited to one sign per each street frontage.

2. In connection with holidays: Decorative flags, bunting, and other decorations on special occasions. No sign permit shall be required for display of decorative flags, bunting, and other decorations related to holidays.

3. Construction: Not to exceed one (1) construction sign, or thirty (30) square feet in area for each lot line adjacent to a street. Development signs shall not be permitted except in conjunction with such construction signs or by Class I Special Permit.

In addition, for PUD construction signs, during the process of construction and initial sale or rental within such development, such temporary development signs as authorized above may be allowed by Class I Special Permit only, for periods not exceeding one (1) year, and renewable for one-year terms for not to exceed two (2) additional years. Such signs shall be located at least ten (10) feet in from any property line, and oriented for minimum adverse effects on adjoining or facing residential property. Location shall be further governed by requirements for vision clearance at intersections as set out at section 908.11.

Permanent Signs: Except as otherwise provided, such signs may be illuminated but shall not be animated or flashing.

In connection with each dwelling unit and all other uses:

1. Address signs, not to exceed one (1) for each dwelling unit or other use for each lot line adjacent to a street, or two (2) square feet in area, except as provided below.

2. Window signs which do not exceed one (1) square foot in area limited to one such sign per residential unit.

3. For each lot line adjacent to a street, one (1) wall sign not exceeding an area of one-half square foot for each linear foot of street frontage, up to a maximum of forty (40) square feet in area, or one (1) projecting sign with combined surface area not exceeding one-half square foot for each linear foot of street frontage, up to a maximum of forty (40) square feet in area, and one (1) address and/or directional sign, not exceeding an area of ten (10) square feet. Such address and/or directional, notice or warning sign, if freestanding, shall not be closer than six (6) feet to any adjacent lot line or be closer than two (2) feet to any street line.

4. Notice, directional and warning signs, not to exceed one (1) for each dwelling unit or other use for each lot line adjacent to a street, or two (2) square feet in area, provided that, where such signs are combined with address signs, maximum total area shall not exceed three (3) square feet. Address, notice, directional warning signs, if freestanding, shall not exceed three (3) feet in height, be closer than ten (10) feet to any adjacent lot, or be closer than two (2) feet to any street line.

Area of permitted wall signs may be increased two and one-half (2 1/2) square feet for each foot above the first ten (10) feet of building height from grade at the bottom of the wall (averaged if sloping or irregular) to the bottom of the sign.

Community or neighborhood bulletin boards or kiosks: Shall be permissible only by Class I Special Permit, as provided at section 10.3.1.6. In the case of flat bulletin boards, the area of such boards shall not exceed 25 square feet; and, in the case of kiosks, such structures shall not exceed a plan section area of 10 square feet and an overall height (including architectural embellishments) of 10 feet.

Home occupations: See section 906.5(d).

In connection with subdivisions, developments (including PUDs), neighborhoods or similar areas: Not to exceed one (1) permanent identification sign, or ten (10) square feet in area, per principal entrance. Such signs shall not be illuminated or internally illuminated. Such signs may be located on a perimeter wall or building wall. Signs should respect the architecture of the building and be placed subordinately and harmoniously to the structure.

In connection with places of worship: Freestanding church signs for name and schedule of services shall be allowed provided that the maximum size of such sign shall be fifteen (15) square feet in area; an increase up to forty (40) square feet for such a sign shall be permissible pursuant to a Class I Special Permit upon a demonstration that the increase in

sign area is necessary for visibility of the sign by the general public due to the location of the church on the subject property; more specifically, the increase shall be permissible if the sign is located on a street with a right-of-way greater than fifty (50) feet and a setback in excess of thirty (30) feet that necessitate the increase. A wall sign for the name of the school, not exceeding an additional 20 square feet in area shall also be permitted.

In connection with primary and secondary schools: A freestanding school sign for the name of the school and schedule of school events and calendar shall be allowed provided that the maximum size of such sign shall be fifteen (15) square feet in area; an increase up to forty (40) square feet for such a sign shall be permissible pursuant to a Class I Special Permit upon a demonstration that the increase in sign area is necessary for visibility of the sign by the general public due to the location of the school on the subject property; more specifically, the increase shall be permissible if the sign is located on a street with a right-of-way greater than fifty (50) feet and a setback in excess of thirty (30) feet that necessitate the increase. A wall sign for the name of the school, not exceeding an additional 20 square feet in area shall also be permitted.

Hotels: Signs for hotel uses shall be subject to Class II Special Permit. The Class II Special Permit shall give due consideration to the orientation of said signs to ensure that they are oriented away from adjacent residential uses so as to minimize the potential adverse effects resulting from lighting spillover.

Signage for hotels shall conform to the following guidelines:

1. Directional signs, which may be combined with address signs but shall bear no advertising matter, may be erected to guide toward entrances, exits, or parking areas, but shall not exceed five (5) square feet in surface area. Such signs shall be permanent, weather resisting fixtures well anchored to the ground so as not to be readily removable; said signs shall stand alone and not be attached to other fixtures or plantings.

2. Ground or monument signs, excluding pole signs, limited to one (1) sign structure with no more than two (2) sign surfaces neither of which shall exceed forty (40) square feet in sign area. One (1) such sign shall be allowed for each one hundred (100) feet of street frontage. Such signs shall consist of a solid and opaque surface which shall contain all lettering and/or graphic symbols, none of which shall be internally illuminated.

Maximum height limitation shall be ten (10) feet including embellishments, measured from the crown of the nearest adjacent local or arterial street, not including limited access highways or expressways, provided, however, that upon finding that there are unusual or undulating site conditions the planning and zoning director, through the Class II Special Permit, may increase the measurement of the crown by up to five (5) feet to accommodate these conditions.

3. Wall signs, limited to one (1) square foot of sign area for each lineal foot of wall fronting on a street, up to a maximum of fifty (50) square feet per sign. Not more than three (3) such signs shall be permitted per hotel with no more than one sign per wall. No signs will be permitted on frontages which face residentially zoned property within a radius of one thousand (1,000) feet.

Signs for Office buildings shall conform to the following:

Building identification sign: Building identification signs erected with their lowest portions more than fifteen (15) feet above grade shall be limited to those identifying the building and the nature of the establishments it contains. Only one (1) such sign, not exceeding fifty (50) square feet in area, for every one hundred fifty (150) feet of length of building wall shall be permitted for each face of the building oriented toward the street.

Directory board sign: In the case of multi level office buildings, a directory board sign, which identifies office tenants within the building, shall be permitted as follows:

1. If mounted on a wall, such director board sign shall be placed within visibility of the main entrance to the office building and shall not exceed an area of 20 square feet;
2. If freestanding, such directory board sign shall not be closer than six (6) feet to any adjacent lot or closer than two (2) feet to any street line and shall not exceed an area of 20

square feet; such signs shall be limited to monument type signs, pole signs shall not be permissible.

Ground floor establishment signs: In addition to the signs listed above, each individual establishment on the ground floor, with ground floor street frontage and separate entrances on the ground floor that open toward such street frontages, shall be allowed the following signs:

- a) A wall sign not to exceed 20 square feet in area;
 - b) Window signs not to exceed twenty (20) percent of the glass area of the window or glass door in which placed; such window signs may be painted or attached, the number of such signs is not limited by these regulations, but aggregate area shall be included as part of aggregate wall sign area, as limited above.
 - c) An awning sign, limited to the skirt or bottom edge of the awning; letters, emblems, logos or symbols not to exceed 6 inches in height.
 - d) A hanging (as in under an awning or similar) sign not to exceed 3 square feet in area.
- Directional signs, which may be combined with address signs but shall bear no advertising matter, may be erected to guide to entrances, exits, or parking areas, but shall not exceed five (5) square feet in surface area; such address and/or directional, notice or warning signs, if freestanding, shall not be closer than six (6) feet to any adjacent lot or closer than two (2) feet to any street line.

10.5.4.2. G/I Government and Institutional.

Sign regulations:

Temporary Signs:

1. Temporary signs, which include political election signs and real estate signs, shall be allowed subject to the exceptions, limitations and responsibilities of subsection 10.3.2. Real Estate signs shall be limited to one sign per each street frontage.
2. In connection with holidays: Decorative flags, bunting, and other decorations on special occasions. No sign permit shall be required for display of decorative flags, bunting, and other decorations related to holidays.
3. Construction: Not to exceed one (1) construction sign, or thirty (30) square feet in area for each lot line adjacent to a street. Development signs shall not be permitted except in conjunction with such construction signs or by Class I Special Permit.

Permanent signs:

All permanent signs shall be subject to Class II Special Permit procedures and review as set forth in Articles 13 and 15 of this zoning ordinance; as well as the following requirements and limitations.

Except as otherwise provided, such signs may be illuminated but shall not be animated or flashing.

1. Directional signs, which may be combined with address signs but shall bear no advertising matter, may be erected to guide to entrances, exits, or parking areas, but shall not exceed five (5) square feet in surface area.
2. Ground or freestanding signs, to the extent allowed subject to the limitations and restrictions set forth in Sections 10.4.5 and 10.8, shall be limited to one (1) sign structure with no more than two (2) sign surfaces, neither of which shall exceed forty (40) square feet in sign area, for each street frontage of each establishment or for each fifty (50) feet of street frontage. Permitted sign area may be cumulative for establishments with more than 150 feet of street frontage, but in such cases, no sign surface shall exceed one hundred (100) square feet in area. Maximum height limitation shall be twenty (20) feet including embellishments, measured from the crown of the nearest adjacent local or arterial street, not including limited access highways or expressways, provided, however, that the planning and zoning director, through the Class II Special Permit, may increase the measurement of the crown by up to five (5) feet to accommodate unusual or undulating site conditions upon finding that such conditions exist.
3. When a single establishment takes up an entire building, wall signs shall be limited to one and one half (1 1/2) square feet of sign area for each lineal foot of wall fronting on a

street; there shall be no more than one wall sign for each 150 linear feet along a street front, with no more than 3 total on any wall. Walls that do not have street frontage may contain no more than one wall sign each, not to exceed 50 square feet in area for each sign, but aggregate area shall be included as part of aggregate wall sign area as limited herein.

4. Wall signs for a single building with more than one ground floor establishment: each individual establishment on the ground floor, with ground floor street frontage and separate entrances on the ground floor that open toward such street frontages, shall be allowed the following signs:

- a) A wall sign not to exceed 20 square feet in area;
- b) Window signs not to exceed twenty (20) percent of the glass area of the window or glass door in which placed; such window signs may be painted or attached, the number of such signs is not limited by these regulations, but aggregate area shall be included as part of aggregate wall sign area, as limited above.
- c) An awning sign, limited to the skirt or bottom edge of the awning; letters, emblems, logos or symbols not to exceed 6 inches in height.

d) A hanging (as in under an awning or similar) sign not to exceed 3 square feet in area.

5. Window signs, painted or attached, shall not exceed twenty (20) percent of the glassed area of the window in which placed. Number of such signs is not limited by these regulations, but aggregate area shall be included as part of aggregate wall sign area, as limited above.

6. Projecting signs (other than under awning signs) shall be limited to one (1) sign structure with no more than two (2) sign surfaces, neither of which shall exceed forty (40) square feet in sign area; the aggregate area shall be included as part of aggregate wall sign area, as limited above.

7. Notwithstanding the provisions set forth herein, where there are commercial, service or retail uses in a structure which may not be seen directly from the public right-of-way, but have direct access from a courtyard or open space which abuts a primary pedestrian pathway, a free-standing directional sign containing the names of all the establishments concealed from direct view may be erected which may be combined with a location map of the complex. Not more than one (1) such sign, not exceeding twenty (20) square feet in area, shall be erected per entrance, exit, or parking area.

8. Community or neighborhood bulletin boards or kiosks: Shall be permissible only by Class I Special Permit, as provided at section 10.3.1.6. In the case of flat bulletin boards, the area of such boards shall not exceed 25 square feet; and, in the case of kiosks, such structures shall not exceed a plan section area of 10 square feet and an overall height (including architectural embellishments) of 10 feet.

10.5.4.3. C-1 Restricted Commercial.

Sign Regulations:

Temporary signs:

1. Temporary signs, which include political election signs and real estate signs, shall be allowed subject to the exceptions, limitations and responsibilities of subsection 10.3.2. Real Estate signs shall be limited to one sign per each street frontage.

2. In connection with holidays: Decorative flags, bunting, and other decorations on special occasions. No sign permit shall be required for display of decorative flags, bunting, and other decorations related to holidays.

3. Construction: Not to exceed one (1) construction sign, or thirty (30) square feet in area for each lot line adjacent to a street. Development signs shall not be permitted except in conjunction with such construction signs or by Class I Special Permit.

Permanent signs: Except as otherwise provided, such signs may be illuminated but shall not be animated or flashing.

1. For a single establishment within a building:

Wall signs for a single establishment within a building: When a single establishment takes up an entire building, wall signs shall be limited to one and one half (1 1/2) square

feet of sign area for each lineal foot of wall fronting on a street; there shall be no more than one wall sign for each 150 linear feet along a street front, with no more than 3 total on any wall. Walls that do not have street frontage may contain no more than one wall sign each, not to exceed 50 square feet in area, but aggregate area shall be included as part of aggregate wall sign area as limited herein.

Window signs, painted or attached, shall not exceed twenty (20) percent of the glassed area of the window in which placed. Number of such signs is not limited by these regulations, but aggregate area shall be included as part of aggregate wall sign area, as limited above.

Projecting signs (other than under awning signs) shall be limited to one (1) sign structure with no more than two (2) sign surfaces, neither of which shall exceed forty (40) square feet in sign area; however, that such permissible sign area may be increased to eighty (80) square feet where maximum projection from the face of the building is two (2) feet or less, sixty (60) square feet where projection is more than two (2) and less than three (3) feet, and forty (40) square feet where projection is at least three (3), but not more than four (4) feet the aggregate area of such signs shall be included as part of aggregate wall sign area, as limited above.

Ground/freestanding signs. Ground or freestanding signs, to the extent allowed subject to the limitations and restrictions set forth in Sections 10.4.5 and 10.8, shall be limited to one (1) sign structure with no more than two (2) sign surfaces, neither of which shall exceed forty (40) square feet in sign area, for each establishment or for each one hundred (100) feet of street frontage. Permitted sign area may be cumulative, but no sign surface shall exceed one hundred (100) square feet. Maximum height limitation shall be twenty (20) feet including embellishments, measured from the crown of the nearest adjacent local or arterial street, not including limited access highways or expressways, provided, however, that the planning and zoning director may, pursuant to a Class II Special Permit, increase the measurement of the crown by up to five (5) feet to accommodate unusual or undulating site conditions.

Directional signs, number and area. Directional signs, which may be combined with address signs but shall bear no advertising matter, may be erected to guide to entrances, exits, or parking areas. Not more than one (1) such sign, not exceeding five (5) square feet in area, shall be erected per entrance, exit, or parking area.

For Outdoor advertising business signs as accessory uses to principal commercial uses only, a Class II Special Permit shall be required, and such signs shall further be limited as follows:

- a) Signs shall be wall mounted only on side walls of the existing principal commercial structure and shall not be freestanding;
- b) Signs shall be limited to one (1) sign per structure only;
- c) Sign area shall be limited to no greater than thirty-two (32) square feet;
- d) Permissible sign area may only be utilized on a commercial structure which has the allowable thirty-two (32) square feet of sign area unused from the total permissible wall sign area for the structure in question. (not counting the twenty (20) sq. ft. of wall signs allowable per establishment); and
- e) Such signs may either be painted or mounted onto the subject wall.

2. For a single building with more than one establishment opening up to the outdoors: Wall signs: The building in which the establishments are located shall be allowed one (1) wall sign, limited to a building identification sign, not exceeding fifty (50) square feet in area, for each face of the building oriented toward the street; and in addition, each individual establishment within a building, that has a separate entrance to the outdoors (available to the general public, whether on the ground floor or on an upper level), and a minimum frontage of 20 linear feet to the outdoors, shall be allowed the following signs:

- a) A wall sign not to exceed 20 square feet in area;
- b) Window signs not to exceed twenty (20) percent of the glass area of the window or glass door in which placed; such window signs may be painted or attached, the number of